

Memorandum, J

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
SHIPCO TRANSPORT INC.

Plaintiff,

-against-

JDB INTERNATIONAL, INC.

and

LAPTON FREIGHT INTERNATIONAL, Inc.

Defendants.
-----X

LAPTON FREIGHT INTERNATIONAL
LIMITED,

Defendant/Third Party Plaintiff,

-against-

TAKMAY INDUSTRIAL COMPANY
LIMITED,

Third Party Defendant
-----X

Case No.: 09 CIV 7532(CM)
ECF CASE

**STIPULATION TO EXTEND TIME
FOR TAKING DEPOSITIONS PROVIDED
IN SCHEDULING ORDER AND ORDER**

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 1/18/11
--

IT IS HEREBY STIPULATED and agreed by the undersigned that the time limit for taking depositions provided in the Scheduling Order in this action shall be extended to from January 10, 2011 to February 9, 2011.

IT IS FURTHER STIPULATED: That the depositions referred to herein will be rescheduled from January 10, 2011, to the time period January 28, 2011, through February 9, 2011, at 2 p.m. at the offices of Cowan, Liebowitz & Latman, P.C. at 1133 Avenue of the

Americas, New York, NY., a date and time when the witness designated by JDB says he will be able to attend.

IT IS FURTHER STIPULATED that the deposition of Plaintiff Shipco Transport Inc. (Shipco) and/or Shipco officials or representatives designated in JDB's Notices of Deposition dated January 10, 2011, will be held during that time period at a date and time to be agreed upon by the parties. Plaintiff reserves its right to object to the taking of these depositions.

IT IS FURTHER HEREBY STIPULATED that all legal objections available to the parties are preserved notwithstanding to their entering into this stipulation

The basis for this stipulation is:

(1) That Plaintiff served a notice of deposition on December 27, 2010, Cowan, Liebowitz & Latman, attorneys on behalf of Defendant, JDB International, Inc. (JDB) directed to that corporation and its designated representative, and also to its president, Karen Ambrosia.

(2) The deposition was scheduled by Plaintiff for January 10, 2010, and by agreement of attorneys for the parties the deposition was to occur at the offices of Cowan Liebowitz & Latman on that date. However, JDB has objected to the deposition of Karen Ambrosia on the ground that the deponent lacks knowledge and information about the facts and issues of the case.

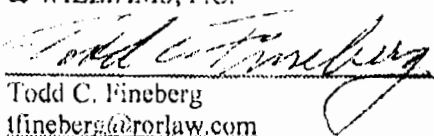
(3) On or about January 7, 2011, JDB's attorney, Meichelle MacGregor, notified Shipco's attorney, Todd Fineberg, that the designated representative of JDB, Howard Orr, would not be available to attend the deposition on the scheduled date.

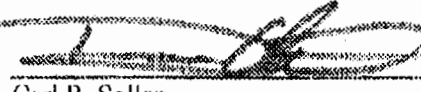
WHEREFORE, the parties hereto submit the foregoing stipulation to the Court and request an order extending time allowed for depositions in this action consistent with their stipulation.

Dated: Washington, D.C.
January 10, 2011

New York, NY
January 10, 2011

RODRIGUEZ O'DONNELL GONZALEZ COWAN, LIEBOWITZ & LATMAN, P.C
& WILLIAMS, P.C.


Todd C. Fineberg
tfineberg@rorlaw.com
1250 Connecticut Avenue, N.W.
Ste. 200
Washington, DC 20036
Tel.: (202) 993-2900
*Attorneys for Plaintiff Shipco
Transport, Inc.*


Carl R. Soller
ers@ell.com
Meichelle R. MacGregor
mrn@ell.com
Don M. Obert
dmo@ell.com
1133 Avenue of the Americas
New York, NY 10036
Tel.: (212) 790-9200
*Attorneys for Defendant JDB International,
Inc.*

SO ORDERED:


Hon. Colleen McMahon.

Date:

1-18-2011 